



TOWN OF YARMOUTH
200 Main Street, Yarmouth, Maine 04096
www.yarmouth.me.us

Planning Board Report
Railroad Square Master Plan
Concept Plans for Development Plan & Major Subdivision
Railroad Square Associates, LLC, Applicant
Map 37 Lots 28 and 29A; CD-4 Village Center Character District
Prepared by Erin Zwirko, Director of Planning and Development
Report Date: January 6, 2022; Planning Board Date: January 12, 2022

I. Project Description

Railroad Square Associates, LLC submits for review the Railroad Square Master Plan. Railroad Square is a proposed redevelopment of the 4.4-acre Bickford Transportation site into a mixed-use neighborhood of residential, commercial and community uses. The site also includes nearly one acre of woods and wetland open space along with two active businesses (Strong Bodies and Artascope Studios), two former industrial buildings, and the open-air pavilion. Below is the conceptual master plan as presented in the application materials:



Conceptual Railroad Square Master Plan

As described in the application materials, the project will integrate a mix of residential building types with commercial uses as well as community uses:

- Active Adult Residential (Ages 55+): Located at the rear of the site, the largest residential component of the Railroad Square Master Plan is an active adult community of single level living condominiums. These residences

are located in three 3-story buildings with 15 units each, for a total of 45 residences. A community center is also proposed within the active adult buildings. Parking will be provided in underground garages. Six carriage house style 2.5-story condominiums or apartments for older adults are located in the redeveloped Strong Bodies/truck garage building.

- Mixed-Use Commercial and Residential: The other buildings proposed in the Master Plan include one 3-story and one 2-story mixed-use buildings. These buildings will likely include office, retail, and possibly a restaurant on the ground level with smaller condominiums or apartments on the upper floors totaling 10 units across the two buildings. Strong Bodies and the arts studio would be relocated to spaces within these mixed-use buildings.
- Community Uses: The existing activities, new pedestrian connections and repurposed pavilion are identified as part of the Master Plan. The existing pavilion will be enclosed so that it can be opened up for warm weather events but also used year-round and continue to be available for the farmers market and art fairs. The Master Plan includes connections to the future demonstration rail trail that the Casco Bay Trail Alliance has been championing with the support of the Town, Maine DOT, and the Yarmouth Pedestrian and Bicycle Committee, and other regional partners. New sidewalks, trail connections, bike racks and storage, outdoor seating and gathering areas incorporated into new hardscape and landscaped are dispersed throughout the Master Plan.

The location in the heart of the Yarmouth Village has the potential to be transformed through the creation of an extended village into this new neighborhood. A key element of the review will be ensuring that the proposed Master Plan is integrated into the existing fabric of the community. A major aspect of that is ensuring that the intersection of Railroad Square and Main Street, as well as the intersecting driveways and streets in the immediate area, function safely for all users and is complementary to the ongoing and phased approach to the Main Street streetscape project. As a result, and in advance of new funding to advance Phase 2 of the Main Street streetscape project, the Department of Planning and Development and other Town Hall colleagues will engage with a consult to bring forward a conceptual plan for this important intersection coinciding with the review of the Railroad Square Master Plan.



Aerial photo of the location (image is rotated to mimic the layout of the Conceptual Master Plan)

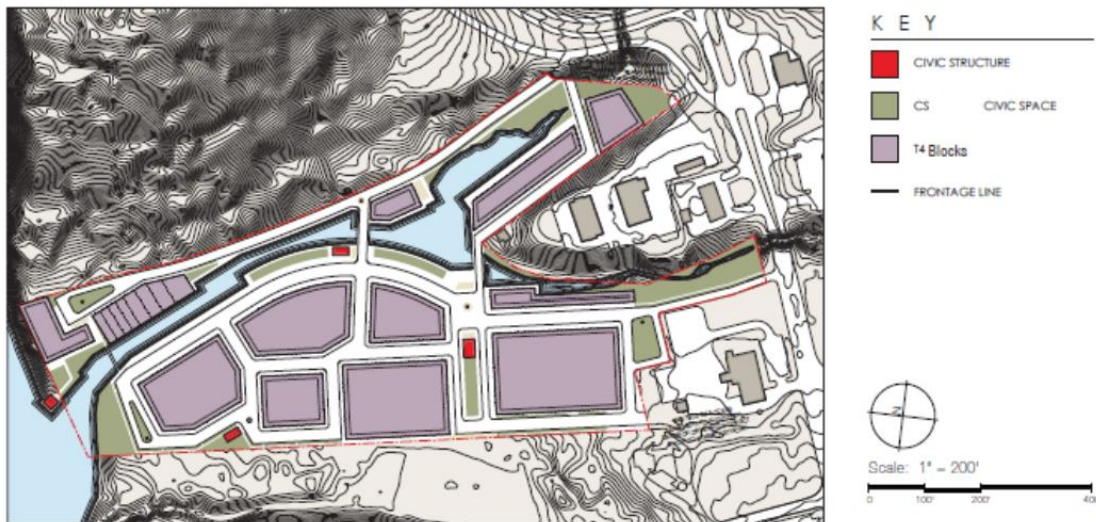
II. Project Review Process and Timeline

The Planning Board is being asked to review the proposal pursuant to the following ordinances:

- CH. 703 Character Based Development Code (CBDC) Development Plan, CD-4 Village Center Character District, and
- CH. 601, Major Subdivision.

The Railroad Square Master Plan is the first proposal to be reviewed as a Development Plan under Chapter 703, Article 6. This project is also a subdivision by virtue of the location of three or more buildings on the property, and by virtue of the creation of 3 or more dwelling units.

ILLUSTRATION 6.B EXAMPLE DEVELOPMENT PLAN



Example Development Plan from Chapter 703, Character Based Development Code

The application materials set forth a proposed review schedule with the Planning Board over the next six months. There are at least 5 meetings with the Planning Board identified, and with the exception of this first introductory and concept meeting, the subsequent meetings will be topic-based in order to focus the discussion with the Planning Board through the review process. Those topics include traffic, the development plan design, thoroughfare (road), lots, and parking, green spaces and pedestrian and bicycle connectivity, architectural design, and final meetings to bring everything together. As discussed in later sections of this staff report, a Development Plan really focuses on the layout of the thoroughfares, common spaces, density, landscaping, and the block structure, among other items, but the additional context will provide the detail likely desired by the Planning Board and the community. The Planning Board may want to identify a good time during the review process to schedule a site visit to the property.

This staff report is organized in the same format as the staff reports that the Planning Board typically receives. However, the section on the Character Based Development Code (CBDC) focuses on the standards for Development Plans, primarily the thoroughfares and the blocks, rather than the form of buildings. As the applicant submits basic information about the architectural design, the CBDC section may expand to include basic CBDC consistency information for the buildings. In general, however, additional information will be necessary from the applicant to fully assess compliance with Chapter 703 and Chapter 601. It is anticipated that this information will be provided at future meetings for the Town staff and the Planning Board to fully assess the Railroad Square Master Plan.

Should the Planning Board ultimately approve the Development Plan and the Subdivision Plan, the applicant will be required to return to the Planning Board in the future to receive approval for each new building and lot (or group of buildings and lots) under Major Site Plan Review (Chapter 702) and Building & Lot Review (Chapter 703). These future reviews will look more familiar to the Planning Board in the level of detail provided and review process. In these future

reviews, the Planning Board will be asked to confirm that each detailed proposal is consistent with the previously approved Development Plan. Should there need to be amendments to the Development Plan that come to light due to further developing each building and lot, the applicant would need to request those Development Plan amendments as well. Obviously, the required review process for this project will be lengthy but is what is appropriate for the scale of the project proposed.

The project also requires approvals from Maine Department of Environmental Protection and the US Army Corps of Engineers under Maine's Natural Resources Protection Act and the Chapter 500 Stormwater Rules. A traffic analysis is necessary to determine whether a Maine DOT Traffic Movement Permit will be required.

III. Previous Meetings and Engagement

The Planning Board discussed the Railroad Square Master Plan previously in December 2020 and held a site visit on January 9, 2021. In early 2021, the Master Plan was tabled, and the related project at 298 Main Street advanced. That project was ultimately approved by the Planning Board on August 11, 2021.

Since last year, the applicant reports that they have hosted three public group events and several individual meetings with neighbors and stakeholders. A Public Information meeting was held on January 5, 2021, at Yarmouth High School, and a series of neighborhood meetings have been scheduled over the next number of months. The neighborhood meetings are intended to cover the topics that would be discussed at the Planning Board meeting following each scheduled neighborhood meeting.

The applicant has also created a website to communicate information and updates regarding the project: www.rrsqyarmouth.com.

IV. Public Notice and Comment

Notices of this public hearing were sent to 76 property owners in the vicinity (within 500 feet) of the proposed development. As of this writing, we have received comments from three individuals.

Uses in Vicinity: The surrounding neighborhood consists of: **South Street** – to be redeveloped structure at the corner of Main Street and South Street, Consolidated Communications, a bicycle shop, several 3-unit residential, many single family homes up to Cumberland Street, and 2 two-family homes. **Railroad Square** – Downeast Energy (adjacent), Strong Bodies fitness, Bickford Education Center, Artascope, antique truck pavilion. **Main Street (east)** – Village Green Park, Gorham Savings Bank in Depot Building, Hancock Lumber, Dunkin Donuts, Chinese Restaurant, Brickyard Hollow, Peoples United Bank, office building, Intermed and other office uses, office/commercial, Irving gas station, Peachies Smoothies (across street). **Main Street (west)** – 298 Main Street redevelopment property, Sacred Heart Church and Parish, 3-family residential, mixed commercial, 3-unit residential, office, 317 Main Community Music Center, 2-family residential, mixed-use commercial. **Yarmouth Crossing** – Hancock Kitchen Center, Wilde Tutoring School, River School, Farmhouse Florist, offices. **Mill Street** – single family, 2-family, single family.

V. Character Based Development Code Review

The project is subject to the Character Based Development Code (CBDC) and the applicant shall address all applicable standards. As noted in the earlier section, the Railroad Square Master Plan is the first Development Plan to be reviewed under Chapter 703 Article 6. As described in Chapter 703, a Development Plan applies to the following parcels of land (Article 6.A.1):

1. Which either alone or together with one or more other parcels under a common development scheme, program or plan is five (5) gross acres or more; or
2. With respect to the development of which any new Thoroughfare or extension or change of the design of any existing Thoroughfare will be made or proposed; or
3. With respect to which any Character District designation, Special District designation or general Thoroughfare alignment is proposed to be changed by a Regulating Plan amendment.
4. Which constitutes a subdivision under Chapter 601 (Subdivision).

The proposed Railroad Square Master Plan triggers the Development Plan as there are new Thoroughfares proposed and the proposal would constitute a subdivision.

The following is the conceptual Development Plan provided in the application materials. As can be seen in this screenshot, the proposed lots, uses, and thoroughfares are identified.



Proposed Railroad Square Development Plan

As the first meeting with the Planning Board scheduled for January 12, 2022, is an introductory meeting, the conceptual information is likely acceptable. However, as the review becomes more detailed, more detailed plans and an assessment

of compliance with the applicable standards will be required from the applicant. In the sections that follow, the staff has provided the initial assessment for the Planning Board's consideration, but in summary, the applicant will be required to provide more detailed information, in particular, the Thoroughfare arrangement and sections that illustrate the pedestrian, bicycle, and vehicular accommodations and connections, public landscaping, public lighting, and the public frontages. The Thoroughfare arrangement and sections are particularly important in order to determine compliance with the Chapter 601, Subdivision. Additional details about Civic Spaces must also be provided. With these additional details, Town staff will be able to more fully assess consistency with the requirements of Chapter 703.

The applicant has identified the need for at least one waiver from the CBDC standards. A waiver of the Lot Frontage requirement may be required to accommodate the pre-existing condition on Lot 1 with the pavilion which requires 170 feet of frontage due to the size of the existing structure and lot shape. The staff support this minor waiver, and the Planning Board should provide feedback to the applicant on the request. Additional waivers may be identified as additional details are provided.

VI. Development Plan Requirements (Article 6.D)

As further described by Article 6, the following materials are required for a Development Plan. The status of each item is provided below in *italics*.

1. Existing and any proposed Thoroughfares, including any extension or change of design;

Provided in conceptual form. Additional details are required to assess consistency.

2. Thoroughfare Types and Standards;

Provided in conceptual form. Additional details are required to assess consistency.

3. Thoroughfare sections and specifications consistent with Chapter 601, (Subdivision, Technical Appendix, Roadway Design and Construction Chart), if applicable, or subject to the approval of the Town Engineer if not otherwise specified;

Additional details are needed for the Town Engineer to review for compliance with Chapter 601.

4. Pedestrian Sheds and their respective Common Destinations;

Must be provided.

5. Existing and any required or proposed Civic Spaces and Civic Buildings;

Civic spaces and Civic buildings are identified in conceptual form.

6. Existing and any proposed Character Districts;

The Development Plan is located within the CD-4 Village Center Character District. No new character districts are proposed.

7. Existing and proposed Special Districts, if any;

The Development Plan is located within the CD-4 Village Center Character District. No new special districts are proposed.

8. Existing and proposed Special Requirements, if any;

Special Requirements are identified in Chapter 703, Article 6.I. The Special Requirements include retail frontage, terminated vistas, cross block passage, buildings of value, and residential development. Additional information is required to determine consistency.

9. The proposed mix of uses and residential density per Character District. A Development Plan with three or more Building and Lot Plan sites in any mixed-use Character District (all variations of CD4) is encouraged to include a mix of residential and commercial functions;

As documented in the application materials, the Development Plan provides information on the mix of uses and the residential density. A mix of uses are proposed.

10. The proposed Block Structure for the site in compliance with applicable Block Perimeter Standards, if the Development Plan site is 5 gross acres or more;

The Development Plan site is less than 5 gross acres. Railroad Square is 4.4 acres total, and even if 298 Main Street were included, the total acreage is 4.62 acres.

11. Public Landscaping;

Provided in conceptual form. Additional details are required to assess consistency.

12. A conceptual or illustrative Building and Lot Plan for a first phase of Development;

Provided in conceptual form. Additional details are required to assess consistency.

13. If associated with a Regulating Plan Amendment, a massing diagram of the proposed or allowable Development;

A Regulating Plan Amendment is not required for the Railroad Square Master Plan. However, it is anticipated that massing diagrams will be provided.

14. All existing and proposed Preserved or created Open Space; and

Provided in conceptual form. Additional details are required to assess consistency.

15. All Buildings of Value present on the site.

There are no Buildings of Value as identified by Chapter 701, Article IX present on the site.

VII. Development Plan Review Standards (Article 6.E)

Article 6.E.2.a, b, and c. Thoroughfare Standards

Thoroughfare standards are identified in Chapter 703, Article 6.E.2 as follows:

Thoroughfares shall be intended for use by vehicular and non-vehicular traffic and to provide access to Lots and Open Spaces.

Staff Comments: Based on the conceptual Development Plan, the Thoroughfares proposed, and the application materials, it appears that vehicular and non-vehicular traffic will be allowed on each Thoroughfare and access to Lots and Open Spaces are provided. Additional pedestrian and bicycle connectivity are proposed and should be refined over the review process.

It does appear that the parking area on Lot 3 could be designated as a Thoroughfare. The application materials identified as a shared street (woonerf), but since it provides circulation through the Development Parcel, it may be appropriate to

designate it as such. Additional details may be needed to make a determination on whether it would be appropriate to designate it as a Thoroughfare.

It should be noted that the Town Staff, including the Fire Chief, the Town Engineer, and the DPW Director, noted that providing emergency access to each of the lots will be critical and must meet the requirements of the Fire Department and the various regulations such as Chapter 601 and the National Fire Prevention Association Codes. Additionally, it is important to be proactively thinking about providing space to store snow and locations for trash and recycling within the Development Plan.

Thoroughfares shall consist generally of vehicular lanes, Sidewalks, Bikeways and Public Frontages.

Staff Comments: The proposed thoroughfares include Roads, Village Streets, Shared Space Streets, and Bikeway/Multi-Use Path. Vehicular lanes, sidewalks, bikeways and public frontages are all elements of these Thoroughfares. Additional details may be necessary to assess this standard.

Thoroughfares shall be designed in context with the urban form and desired design speed of the Character Districts through which they pass.

Staff Comments: It appears that the selection of Thoroughfares is appropriate for the urban form and desired design speed of the overall CD-4 Village Center Character District.

The Public Frontages of Thoroughfares that pass from one Character District to another shall be adjusted where appropriate or, alternatively, the Character District may follow the alignment of the Thoroughfare to the depth of one Lot, retaining a single Public Frontage throughout its trajectory.

Staff Comments: The Development Plan spans only a single Character District. It appears that there is an appropriate relationship between the Public Frontages and the Thoroughfares. Additional details may be necessary to assess this standard.

Pedestrian access, circulation, convenience, and comfort shall be primary considerations of the Thoroughfare, with any design conflict between vehicular and pedestrian movement generally decided in favor of the pedestrian.

Staff Comments: In particular, the intersection of TF-4 that circles the Civic Space F at Lot 3 may need further consideration to favor the pedestrian. It may be that the circulation through the parking area at the rear of Lot 3 should be one-way so as to avoid potential conflicts between vehicular movement and pedestrian movements.

Additionally, the intersection of Railroad Square at Main Street will require further detailed review. As noted in the introduction, the Department of Planning & Development and other Town staff will focus on this intersection and the relationship to the upcoming Phase 2 of the Main Street streetscape project. This effort is planned to coincide with the review of the Development Plan.

Thoroughfares shall be designed to define Blocks not exceeding any applicable perimeter size prescribed in Table 6.F (Block Perimeter Standards), measured as the sum of Lot Frontage Lines and subject to adjustment by Waiver at the edge of a Development Parcel.

Staff Comments: Additional details are needed to assess this standard.

Thoroughfares shall terminate at other Thoroughfares, forming a network, with internal Thoroughfares connecting wherever possible to those on adjacent sites.

Staff Comments: The proposed Thoroughfares in the Development Plan contribute to the larger network of Thoroughfares throughout the CD-4 District. Based on the conceptual plan and the layout of the adjacent properties and neighborhood, although Thoroughfares that provide primarily vehicular access do not connect to the larger network,

pedestrian and bicycle connections help to advance a network in the Village. Within the Development Parcel, the arrangement of Thoroughfares for vehicles, pedestrians, and bicyclists is such that a network is created.

Cul-de-sacs and dead end Thoroughfares are not allowed unless approved by Waiver to accommodate specific site conditions, and except that one single Lot may Enfront a dead end Throughfare to create a back Lot.

Staff Comments: The arrangement of the proposed Thoroughfares ensures that there are no dead ends or cul-de-sacs. When considering the entire extent of the CD-4 District, the proposed arrangement of Thoroughfares is consistent with the development pattern of the Yarmouth Village. When layering the bicycle, pedestrian, and vehicular access within the Development Plan as well as considering the shape of the Development parcel, the network created ensures that there are no dead ends or cul-de-sacs. The staff recommend considering one-way clockwise circulation through the parking area at Lot 3 as well as potentially designating that area as a Thoroughfare in order to create the sense of a New England village green or town center around Civic Space F and Lot 3.

Each Lot shall Enfront a vehicular Thoroughfare, except that 20% of the Lots may Enfront a Passage.

Staff Comments: The conceptual plan indicates that Lot 4 utilizes this provision, and while additional details may be necessary to document the allowed use of the provision, it appears to be consistent. However, as noted in one of the comment letters and elsewhere in this staff report, there may be another approach to Lot 4 that could be assessed in balance with the other requirements for a Development Plan and future Building & Lot plans.

Thoroughfares shall conform to the Thoroughfare Standards of Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards). See Illustration 6.E.1 (Turning Radius).

Staff Comments: Based on the conceptual plan, it appears that the proposed Thoroughfares are consistent with the requirements for each thoroughfare type. However, cross sections and additional details regarding each Thoroughfare type will be necessary to document compliance with not only this standard but also the standards of Chapter 601.

Standards for any new types of Thoroughfares, if any, within proposed new Special or Character Districts associated with a Regulating Plan Amendment shall be established as part of the Regulating Plan Amendment approval and all Thoroughfares within such a Special or Character District shall conform to existing or any such new Thoroughfare Standards.

Staff Comments: A Regulatory Plan amendment is not necessary to advance this Development Plan within the existing CD-4 District.

Thoroughfares may be public (dedicated for Town ownership) or private;

Staff Comments: Additional details will be necessary to determine whether the Thoroughfares meet the Town standards to be accepted as a public way.

All Thoroughfares in any mixed-use district (all variations of the CD4 districts), whether publicly or privately owned and maintained, shall be open to the public.

Staff Comments: Although not explicit in the application materials, it is anticipated that the proposed Thoroughfares will be open to the public.

All Thoroughfares shall comply with the Complete Streets Policy adopted by the Town.

Staff Comments: Based on the conceptual review, it appears that the mix of Thoroughfares proposed and the goals established for the Development Plan is consistent with the Complete Streets Policy. Additional details may be necessary to confirm this compliance.

Thoroughfare design and construction standards shall adhere to Chapter 601 (Subdivision) Technical Appendices (Infrastructure Specifications), as determined to be the closest fit by the review authority, provided that the specifications of Table 6.E.2A - 6.E.2I shall pertain where in conflict with such Chapter 601 provisions.

Staff Comments: Additional details regarding each Thoroughfare type will be necessary to document compliance with the standards of Chapter 601.

Thoroughfares may include vehicular lanes in a variety of widths for parked and for moving vehicles, including bicycles, subject to the standards for vehicular lanes shown in Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards).

Staff Comments: Based on the conceptual plan, it appears that the proposed Thoroughfares are consistent with the requirements for each thoroughfare type. However, cross sections and additional details regarding each Thoroughfare type will be necessary to document compliance with not only this standard but also the standards of Chapter 601.

A bicycle network consisting of Multi-Use Paths, Buffered Bicycle Lanes, Protected Bicycle Lanes, and Shared Use Lanes should be provided throughout the area, with Bicycle Routes and other Bikeways being marked and such network being connected to existing or proposed regional networks wherever possible. See Table 6.E.3 (Bikeway Types).

Staff Comments: The application materials suggest that the Development Plan will provide strong bicycle connections to the larger network through the support of a demonstration project along the adjacent rail line. Additional information about bicycle facilities on the Thoroughfares and the inclusion of covered bicycle storage for residential uses and outdoor bicycle racks for general usage is desired.

Advisory bike lanes are bicycle priority areas delineated by dashed white lines. The automobile zone should be configured narrowly enough so that two cars cannot pass each other in both directions without crossing the advisory lane line. Motorists may enter the bicycle zone when no bicycles are present. Motorists must overtake with caution due to potential oncoming traffic. See Table 6.E.3F. Such lanes are also beneficial to pedestrians in areas without dedicated sidewalks.

Staff Comments: Based on the conceptual review, advisory lanes may not be appropriate for the Development Plan, perhaps with the exception of the driveway to the underground parking. Additional details and assessment may be necessary to make a final determination.

Pedestrian accommodations for all users shall be provided in all Development in keeping with the Complete Streets Policy. Walkways or Sidewalks along all Thoroughfares, trails and/or maintained paths or other pedestrian infrastructure shall be provided.

Staff Comments: Additional details are needed to determine compliance with this standard, in particular, information regarding ADA compliance and universal access design is necessary.

Pedestrian paths of travel to and within all sites shall be delineated in all Development Plans and Building and Lot Plans, with direct, convenient, and protected access to all Building entrances and site amenities.

Staff Comments: It appears that the Development Plan identifies the potential pedestrian paths of travel in the conceptual plan. Additional details may be necessary for a full assessment.

Where Thoroughfares require Sidewalks, equivalent or better alternative means of pedestrian access may be considered by the reviewing authority.

Staff Comments: Cross sections of the proposed Thoroughfares are necessary to make a determination. In particular, the Planning Board may want to take a close look at the Thoroughfare that abuts the Downeast Energy property for an appropriate treatment.

Article 6.E.3. Public Frontages

Public Frontage standards are identified in Chapter 703, Article 6.E.3 as follows:

The Public Frontage shall contribute to the character of the Character District or Special District, and include the types of Sidewalk, Curb, planter, bicycle facility, and street trees, allocated within Character Districts and designed in accordance with Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards), Table 6.E.3 (Bikeway Types), Table 6.E.4 (Public Planting), and Table 6.E.5 (Public Lighting).

Staff Comments: In order to fully assess this standard, more detailed plans depicting the various Thoroughfares are necessary to determine whether the proposed Public Frontages contribute to the overall character of the CD-4 District. The proposed Public Frontages should also be assessed for compatibility with the Main Street streetscape plan, which provides an accepted arrangement of bike facilities, public plantings, and public lighting. Various sections of Chapter 703 detail the requirements for these elements which the applicant should consult in the preparation of more detailed plans.

Within the Public Frontages, the prescribed types of Public Planting and Public Lighting shall be as shown in Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards), Table 6.E.4 (Public planting), and Table 6.E.5 (Public Lighting); provided that the spacing may be adjusted by Waiver to accommodate specific site conditions.

Staff Comments: As noted above, additional details are necessary to fully assess the arrangement of public plantings and public lighting along Public Frontages. The development of the public frontages should be complementary to the Main Street streetscape plans. Until such details are provided, the need for a waiver is unknown. As documented in the public comments received, the Development Plan should provide the appropriate scale of public plantings and public lighting in order to be integrated within the existing Village Center. In particular, significant trees and pedestrian scale lighting is appropriate for this location.

The introduced landscape shall consist primarily of durable native species and hybrids that are tolerant of soil compaction and require minimal irrigation, fertilization and maintenance.

Staff Comments: It is anticipated that the landscape plan will consist of native plants. Additional details are required.

The Public Frontage shall include trees planted in a regularly-spaced Allee pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one Story.

Staff Comments: As documented in the public comments, the proposed Development Plan should provide a well-defined canopy of trees that provide an attractive and comfortable streetscape.

Article 6.E.4. Public Landscaping

Public Landscaping standards are identified in Chapter 703, Article 6.E.4 as follows:

Thoroughfare Trees and any other landscaping with the Public Frontage shall comply with the standards of Article 5.N, (Private Lot Landscape Standards).

Staff Comments: Once additional details are provided regarding street trees and landscaping within the Public Frontages (and throughout the Development Plan), staff will provide an assessment of consistency with the standards of Article 5.N.

Thoroughfare Trees shall be placed minimally two (2) feet from walkways, curbs, and other impervious surfaces if planted in a tree well or continuous planter; or with such placement as described in Article 5.N.1.b.

Staff Comments: As noted above, once additional details are provided regarding street trees within the Public Frontages (and throughout the Development Plan), staff will provide an assessment of consistency with this particular standard and the standard identified in Article 5.N, which provides detailed information about the spacing required. (Note that the reference in the standard above should be 5.N.2.b.)

The soil structure of planting strips shall be protected from compaction with a temporary construction fence. Standards of access, excavation, movement, storage and backfilling of soils in relation to the construction and maintenance of deep utilities and manholes shall be specified.

Staff Comments: It is anticipated that in conjunction with the preparation of detailed plans for the Thoroughfares, construction details for the proposed landscaping will be provided.

VIII. Block Perimeter Standards (Article 6.F)

Each Block shall conform to the applicable Block Perimeter Standards. The CD-4 standard is a maximum of 2,000 feet.

Staff Comments: Additional details are needed to assess this standard. However, as noted in Article 6.D.2, which outlines the requirements for a Development Plan, the Block Perimeter Standards are required if the Development Plan site is 5 or more gross acres. Railroad Square is 4.4 acres total, and even if 298 Main Street were included, the total acreage is 4.62 acres.

IX. Civic Space Standards (Article 6.G)

Each Pedestrian Shed of which the area covered by the plan is a part shall contain at least one Main Civic Space conforming to one of the types specified in Table 6.G (Civic Spaces), unless topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location. Civic Spaces should connect to existing Civic Spaces, trails, Paths, or other bike/ped connectors.

Staff Comments: A pedestrian shed illustration should be provided to assess the proposed Civic Spaces. It is clear that the Development Plan includes a variety of Civic Spaces, including Civic Square, Civic Plaza, Civic Pocket Park, and Open Space. These proposed spaces are appropriately located along the main Thoroughfare and at locations with bicycle and pedestrian connections exist or plan to be provided.

More detailed plans depicting these Civic Spaces are necessary to fully assess the amenities that will be provided within the spaces.

Within 1/4 mile (1,320 feet) of every Lot in Residential use, a Civic Space designed and equipped as a Playground conforming to Table 6.G (Civic Spaces – Playground) shall be provided;

Staff Comments: The conceptual Development Plan does not include a Playground Civic Space. The applicant may need to determine how a playground can be incorporated within the Development Plan, or if this requirement is fulfilled by existing playgrounds in the immediate area.

Any Civic Building provided or required should be located within or adjacent to a Civic Space, or at the axial termination of a significant Thoroughfare;

Staff Comments: No Civic Buildings are provided or required.

X. Special Requirements (Article 6.I)

Retail Frontage. Block frontages may be designated for mandatory and/or recommended Retail Frontage requiring or advising that each Building satisfy the Frontage Buildout requirement with a Shopfront Frontage at Sidewalk level along the entire length of the Private Frontage, except at any allowed Driveways or Streetscreen areas. The Shopfront

Frontage shall be no less than 70% glazed in clear glass and shaded by an awning overlapping the Sidewalk as generally illustrated in Table 5.H.2 (Private Frontage Types) and specified in Article 5. The first floor shall be confined to Retail Principal Use through the depth of the Second Lot Layer. See Illustration 5.F.1 (Lot Layers).

Staff Comments: Within the mixed-use blocks, the applicant has identified that some spaces may be utilized for offices, retail, restaurant, or other commercial uses. Although the review of individual Building and Lot Plans will come in the future, the applicant, in consultation with the Planning Board, may want to identify and designate the appropriate locations for Shopfront Frontages on the proposed mixed-use buildings based on the layout of the Thoroughfares and Civic Spaces as well as the logical oriented of future buildings.

Terminated Vistas. Designations for mandatory and/ or recommended Terminated Vista locations, may require or advise that the Building or Structure that terminates the vista be provided with architectural articulation of a type and character that responds visually to the location, as approved by the Planning Board.

a. Architectural features required at a Terminated Vista shall intersect the centerline axis of the view to which they respond, and may encroach into the front setback if necessary.

b. Terminated Vista features may comprise a Cupola, chimney, steeple, entry feature, tower, or other significant architectural features.

Staff Comments: As defined in Chapter 703, a Terminated Vista is *“a location at the axial conclusion of a Thoroughfare or other visual axis. A Building located at a Terminated Vista designated on a Regulating Plan is required or recommended to be designed in response to the axis.”* It does not appear that the Regulating Plan adopted with Chapter 703 identified any Terminated Vistas within the Railroad Square property. It also does not appear that the Development Plan would create any Terminated Vistas.

Cross Block Passage. A designation for Cross Block Passages, requiring that a minimum 10-foot-wide pedestrian access be reserved between Buildings.

Staff Comments: It appears that the Development Plan includes appropriate Cross Block Passages of the appropriate width, but a more detailed plan will confirm this requirement.

Buildings of Value. Buildings and Structures of Value may be altered or demolished only in accordance with the provisions of Chapter 701 (Zoning), Article IX, (Demolition Delay).

Staff Comments: There are no buildings within the Railroad Square Master Plan that have been deemed Buildings of Value per Chapter 701, Article IX. Additionally, the project site is not located within either the Upper Village Historic District or the Lower Village Historic District as recently incorporated into Chapter 701 as Article X.

Residential Development. A Development Plan with three or more Building and Lot Plan sites in any mixed-use Character District (all variations of CD4) is encouraged to include a mix of residential and commercial functions.

Staff Comments: As documented in the application materials, the Development Plan provides information on the mix of uses and the residential density. A mix of uses are proposed.

XI. SUBDIVISION REVIEW (CHAPTER 601)

The proposed Railroad Square Development Plan will trigger Major Subdivision Review, not only that it creates 3 or more lots, but also due to the multifamily units proposed. The applicant will need to provide the Subdivision Application Form for a future meeting as well as the corresponding subdivision plans that meet the requirements of Chapter 601 and a response to the subdivision criteria identified below.

As discussed in the previous sections on the CBDC, additional detailed plans will need to be provided, and in particular, there is a relationship between the Thoroughfares proposed and the subdivision regulations. It will be important for the Town Engineer and others to be able to review compliance with the subdivision regulations. At this stage in the review, where there are applicable Town staff comments, those have been identified below.

- 1 Will not result in undue water or air pollution. In making this determination it shall at least consider: The elevation of land above sea level and its relationship to the flood plains, the nature of soils and sub-soils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of effluents; and the applicable State and local health and water resources regulations;**

Staff Comments: It is unlikely that the project will result in undue water or air pollution. Additional permitting through the Maine DEP and the USACE is identified as required. Additionally, the applicant previously indicated that the site is subject to a Voluntary Response Action Program (VRAP) through the MaineDEP, a tool that is used to encourage the cleanup and redevelopment of contaminated properties. Additional details may be necessary to fully assess this standard.

- 2 Has sufficient water available for the reasonably foreseeable needs of the subdivision;**

Staff Comments: The applicant will need to consult with the Yarmouth Water District, Town Engineer, and the Fire Department regarding the anticipated build out of the project and domestic and fire water infrastructure, including any necessary hydrants.

- 3 Will not cause unreasonable burden on an existing water supply and the project can be served as planned, if one is to be utilized;**

Staff Comments: As noted above, consultations with the Yarmouth Water District, Town Engineer, and the Fire Department are necessary to assess this standard.

- 4 Will not cause unreasonable soil erosion or reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results;**

Staff Comments: Although construction of any element of the Railroad Square Master Plan would be in the future, the applicant will be required to provide an Erosion and Sedimentation Control Plan for any initial work in order to prepare the site for construction. The plan shall meet all requirements of Chapter 500 Stormwater requirements and MDEP Erosion and Sedimentation Control (ESC) measures. During construction erosion and sedimentation control Best Management Practices (BMP's) shall be installed prior to construction activities and shall be maintained by the contractor until permanent stabilization.

- 5 The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed and shall adhere to the street connectivity requirements of Article I.E.7, Street Access to Adjoining Property, herein. If the proposed subdivision requires driveways or entrances onto a state or state aid highway located outside the urban compact area of an urban compact municipality as defined by MSRA Title 23, section 754, the Department of Transportation has provided documentation indicating that the driveways or entrances conform to Title 23, section 704 and any rules adopted under that section;**

Staff Comments: It is anticipated that future meetings with the Planning Board will focus on traffic related to the Development Plan and in the aggregate in the village. The Town has been engaged with Tom Errico, of TY Lin, over the last year to provide peer reviews of traffic impact analyses of major projects within the village, and as a result, will be able to provide input into the development of the traffic analysis prepared for the Railroad Square Master Plan. It is anticipated that a MaineDOT Traffic Movement Permit will be required following review of the traffic analysis.

As noted elsewhere in this report and in the attached comments, the intersection of Railroad Square with Main Street is an important element. Efforts from the Department of Planning & Development in conjunction with Town staff will take a closer look at that intersection over the course of the review as well as anticipation of funding for the Phase 2 of the Main Street streetscape project. As noted by Mr. Errico, *"The access road intersection with Main Street will need to be designed with consideration of vehicle movements (passenger cars and trucks), pedestrian movements (crossing both Main Street and the driveway and ADA compliance), and bicyclists. It is a complicated location when considering multi-modal conditions, proximity of nearby driveways and traffic volumes both on Main Street on entering and exiting the site. A detailed review will be required as part of the Traffic Study."* The Pedestrian and Bicycle Committee expressed similar sentiment.

Additional details anticipated to be provided over the course of the review will allow Town staff and our peer reviewer to fully assess this requirement.

6 Will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized;

Staff Comments: Similar to the comments above about water supply, the applicant will need to consult with the Town Engineer to determine the appropriate methods to serve the proposed Railroad Square Master Plan. The applicant has identified the potential density and uses of the proposed buildings and may be able to determine projected flow calculations in order to determine whether the existing sewer main has the required capacity to serve the new building.

7 The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be utilized;

Staff Comments: The DPW Director notes that many of the residential units are proposed to be condominiums and those future owners will be eligible to utilize the Yarmouth Transfer Station/Recycling Center. The applicant may want to think through whether these types of services will be privately provided through an association and where trash and recycling can be accommodated.

8 Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;

Staff Comments: None of the buildings on the site are Buildings of Value and the properties are not included in the Upper Village Historic District or the Lower Village Historic District. The property is almost entirely impervious and will require approvals from Maine Department of Environmental Protection and the US Army Corps of Engineers under Maine's Natural Resources Protection Act and the Chapter 500 Stormwater Rules.

9 It is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any. In making this determination, the Planning Board may interpret these ordinances and plans;

Staff Comments: An excerpt from the 2010 Comprehensive Plan is attached to this staff report. The 2010 Comprehensive Plan did not envision proposed development at Railroad Square, but discusses Village in general and goals for the Village (page 18-19):

- *Maintaining Main Street as a truly mixed-use area with viable businesses and services, community and educational facilities, and people who live there...*
- *Ensuring that new construction or the modification of buildings along Main Street is done in a way that is compatible with the visual character and development pattern of the Village...*
- *Accommodating additional residential uses within the Village in ways that reinforce the concept of a walkable village and expand the diversity of housing available...*
- *Increasing the diversity of the housing available in Yarmouth and, therefore, increasing the diversity of the Town's population.*

The 2010 Comprehensive Plan goes on to identify the Vision for the Village as (age 19):

Yarmouth Village will continue to be a highly desirable, walkable New England Village with a vibrant, mixed-use center along Main Street. The Village will continue to offer a wide variety of housing from large, historically significant single-family homes, to smaller, more modest homes for both older residents and young families, to apartments and condominiums, to small flats in mixed-use buildings or older homes. Main Street or the Village Center will be a vibrant, pedestrian friendly, mixed-use street where people can live, work, shop, and take care of their other daily needs. A balance between residential and nonresidential activities in the Village Center will be maintained.

Ultimately, as directed by the 2010 Comprehensive Plan, the Character Based Development Code (Chapter 703) was adopted in response to the strategies identified to maintain the architectural and visual character of the Village. The proposed Railroad Square project is designed to be consistent with Chapter 703 and is consistent with the goals laid out for the Village.

It should be acknowledged that the Town is embarking on an update to the Comprehensive Plan, which would update the vision for the Village, and certainly the Town as a whole. It is also acknowledged that the scope of the proposed project may seem out of scale with the Yarmouth Village. The Planning Board will need to assess whether the scale and scope and proposed design expands the Village network into this underutilized and unproductive property in the heart of the community.

10 The subdivider has adequate financial and technical capacity to meet these standards of this ordinance;

Staff Comments: Additional information is necessary to assess this standard.

11 Whenever situated, in whole or in part, within the watershed of any pond or lake or within two hundred fifty (250) feet of any wetland, great pond or river as defined in Title 38 M.R.S. §436-A, will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water;

Staff Comments: This standard is not applicable.

12 Groundwater. The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;

Staff Comments: It is not anticipated that the proposed project will adversely affect the quality or quantity of groundwater, but additional details are required to fully assess this standard.

13 Flood areas. Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a

flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation;

Staff Comments: This standard is not applicable.

- 14 Freshwater wetlands. All freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district;**

Staff Comments: The project requires approvals from Maine Department of Environmental Protection and the US Army Corps of Engineers under Maine's Natural Resources Protection Act. Additional information may be necessary to assess this standard.

- 15 Farmland. All farmland within the proposed subdivision has been identified on maps submitted as part of the application. Any mapping of farmland may be done with the help of the local soil and water conservation district;**

Staff Comments: This standard is not applicable.

- 16 River, stream or brook. Any river, stream or brook within or abutting the proposed subdivision has been identified on any maps submitted as part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in 38 M.R.S. §480-B (9)**

Staff Comments: The project also approvals from Maine Department of Environmental Protection and the US Army Corps of Engineers under Maine's Natural Resources Protection.

- 17 Storm water. The proposed subdivision will provide for adequate storm water management, as per Chapter 601(IV) (L), and Chapters 320 and 330 of the Town Code.**

Staff Comments: The Applicant must complete a stormwater management plan, including drainage calculations for pre- and post-development, a drainage plan, and an assessment of any pollutants in the stormwater runoff. The Town strongly encourages the design team to consider the implementation of Low Impact Development (LID) in its design strategy.

Additionally, any stormwater BMPs and their maintenance will remain the responsibility of the Applicant and thought should be given to future maintenance of the BMPs. Future submissions should also include post construction operation and maintenance plans for any proposed stormwater management BMPs.

Lastly, the overall development should be assessed for the total impervious area that is being redeveloped. Depending on the final redeveloped impervious area, the project may necessitate a Stormwater Law Permit from the Maine Department of Environmental Protection, triggering the General Standards for water quality treatment.

- 18 Spaghetti-lots prohibited. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond or coastal wetland as these features are defined in 38 M.R.S. §480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than 5 to 1;**

Staff Comments: This standard is not applicable.

- 19 Lake phosphorus concentration. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision;**

Staff Comments: This standard is not applicable.

- 20 Impact on adjoining municipality. For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located; and**

Staff Comments: This standard is not applicable.

- 21 Lands subject to liquidation harvesting. Timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to 12 M.R.S. §8869(14). If a violation of rules adopted by the Maine Forest Service to substantially eliminate liquidation harvesting has occurred, the municipal reviewing authority must determine prior to granting approval for the subdivision that 5 years have elapsed from the date the landowner under whose ownership the harvest occurred acquired the parcel. A municipal reviewing authority may request technical assistance from the Department of Agriculture, Conservation and Forestry, Bureau of Forestry to determine whether a rule violation has occurred, or the municipal reviewing authority may accept a determination certified by a forester licensed pursuant to 32 M.R.S. §5501 et seq. If a municipal reviewing authority requests technical assistance from the bureau, the bureau shall respond within 5 working days regarding its ability to provide assistance. If the bureau agrees to provide assistance, it shall make a finding and determination as to whether a rule violation has occurred. The bureau shall provide a written copy of its finding and determination to the municipal reviewing authority within 30 days of receipt of the municipal reviewing authority's request. If the bureau notifies a municipal reviewing authority that the bureau will not provide assistance, the municipal reviewing authority may require a subdivision applicant to provide a determination certified by a licensed forester.**

For the purposes of this subsection, "liquidation harvesting" has the same meaning as in 12 M.R.S. §8868(6) and "parcel" means a contiguous area within one municipality, township or plantation owned by one person or a group of persons in common or joint ownership. This subsection takes effect on the effective date of rules adopted pursuant to 12 M.R.S. §8869(14).

Staff Comments: This standard is not applicable.

XII. Motions – Development Plan and Major Subdivision

At this concept stage, a motion is not recommended for the Planning Board. Ultimately, the proposed motion may be more detailed than what is outlined below.

A. DEVELOPMENT PLAN AND SUBDIVISION

Based on the application, plans, reports and other information submitted by the applicant, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated XXXX for Development Plan and Major Subdivision, Railroad Square Associates, LLC, Applicant; Railroad Square, Map 37 Lots 28 and 29A, regarding the compliance with the applicable regulations of Chapter 703, Character Based Development Code, and the applicable regulations and standards of Chapter 601, Subdivision, the Planning Board hereby finds and concludes that the Development Plan and Major Subdivision **[meets/does not meet]** the required standards and is therefore **[approved/not approved]** subject to the following conditions of approval:

1. Conditions...

Such motion moved by _____, seconded by _____,
and voted ____ in favor, ____ opposed, _____.
(note members voting in opposition, abstained, recused, or absent, if any).

Attachments:

1. Steve Johnson, Town Engineer – Memo 12/23/2021, including Memo from Acorn Engineering 11/23/2020
2. Chief Robitaille, Fire Department – Memo 12/21/2021
3. Erik Street, Public Works Director – Memo 12/30/2021
4. Eric Gagnon, Yarmouth Water District – Email 12/31/2021
5. Bicycle and Pedestrian Committee – Email 1/4/2022
6. TY Lin, Traffic Peer Review – Letter 1/4/2022
7. Public Comment – Mark Polishook, 12/25/2021
8. Public Comment – Ed Ashley, 1/3/2021
9. Public Comment – Dan Ostrye, 1/4/2022
10. Excerpt from 2010 Comprehensive Plan

Steven S. Johnson, P.E., LEED AP, Town Engineer
E-Mail: sjohnson@yarmouth.me.us

Tel: 207-846-2401
Fax: 207-846-2438



TOWN OF YARMOUTH
INTERNAL MEMORANDUM

TO: Erin Zwirko, AICP, Director of Planning
FROM: Steven S. Johnson, P.E., Town Engineer
DATE: December 23, 2021
RE: Conceptual Major Site Plan and Subdivision Application for 1 and 48 Railroad Square

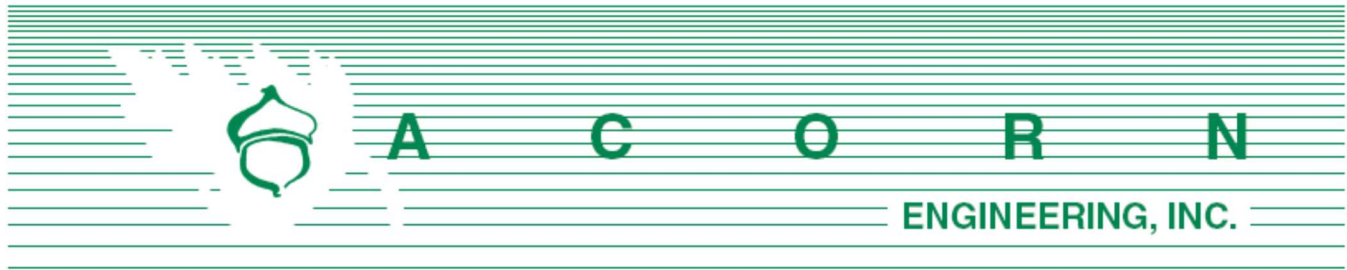
Erin:

I have reviewed the subject project application submitted by Rick Licht, P.E., of Licht Environmental Design, LLC on behalf of Bickford Transportation dated December 15, 2021. I have the following technical comments.

I do understand that this application is being submitted under Article 6 of Chapter 703 Character Based Development Code and as such the current application is a conceptual plan and may not have all pertinent information submitted at this time and more information will be submitted as the project works its way through the planning process. That said, I would call your attention to a technical review performed by Will Savage, P.E., of Acorn Engineering in November 2020. I think that most of Will's comments as outlined in his letter to Alex Jaegerman dated November 23rd of that year are still pertinent to the current application and I am sure the applicant will address them in due time.

I will say that the geometric layout appears to be suited to the site and proposed development. The applicant should take particular care to ensure access for first responders, particularly large firefighting apparatus. I am looking forward to reviewing the site/civil drawings as well as the utility designs for this project as more information becomes available.

If you have any questions, please do not hesitate to see me.



Town of Yarmouth
 Alex Jaegermann, Director of Planning and Development
 300 Main Street
 Yarmouth, Maine 04096

November 23, 2020

RE: Railroad Square Concept Application
 Civil Peer Review

Dear Mr. Jaegermann:

Acorn Engineering, Inc. has reviewed the Conceptual Site Plan Application for the Railroad Square mixed-use development provided by Licht Environmental Design, LLC on behalf of Railroad Square Associates LLC. The review included the original application materials dated November 12, 2020, including Site Plan Application Form,

The following materials were reviewed:

- Cover letter & Exhibits
- Site Plan Application Form
- Railroad Square Master Plan & Architectural Concepts

The review focused on the Town's requirements including:

Chapter 601 Subdivision Ordinance, amended 3/15/18
 Chapter 701 Zoning Ordinance, amended 7/25/19
 Chapter 702, Site Plan Review Ordinance, amended 6/15/17;
 Chapter 304, Sewerage Ordinance, amended 6/18/15
 Chapter 320, Stormwater Discharge Ordinance, amended 6/18/15
 Chapter 330, Post-Construction Stormwater Management Ordinance, adopted 5/21/2009.

General Comments

1. It would be helpful if the Applicant submitted an Existing Conditions Plan developed by a Professional Land Surveyor so the Town, neighbors, and reviewers can understand the existing site conditions including a description of the easements that burden or benefit the project.
2. Depending on certain statutory thresholds, permits from Maine Departments of Environmental Protection (DEP) and Transportation (DOT) may be warranted. The Applicant should analyze these thresholds and also consult with these agencies to see if this project, in sync with the neighboring 298 Main Street redevelopment may be considered "common scheme of development" under the State's definition given the parcels are

contiguous and the redevelopment proposal is being undertaken by a shared development team with a unified approach.

3. The Applicant has indicated that they are working with the Maine DOT on the “rail trail” design. More information should be submitted as it becomes available including cross sections, maintenances responsibilities, right/title/interest, etc.

Review Criteria

It’s understood that the Applicant intends to address the majority of the review criteria as part of the Major Site Plan Development application, as noted within the completed Site Plan Application Form; however, the project was reviewed at a high level with respect to the following review criteria outlined in said Application Form. Future review will be necessary to evaluate if the comments below are addressed in the Applicant’s subsequent submission(s).

1. Right, Title, Interest:
 - a. The Applicant should provide evidence of right, title and interest to the property as part of a later submission.
 - b. The Applicant should provide site access and utility easements across Railroad Square Drive.
2. Solid Waste: The Applicant should include a narrative describing how solid waste that is generated on site will be handled.
3. Water: The Applicant must provide evidence that the Yarmouth Water District (YWD) has the capacity to serve the new building. The Applicant shall clarify how water domestic/fire would serve the site should the utilities within Railroad Square Drive not be constructed or easement granted. The Applicant should also consult with the Fire Department on fire hydrant requirements for the overall development.
4. Sanitary Sewerage: The Applicant should provide design information regarding how the new facility will be served. The Applicant shall provide projected flow calculations from the new building and the existing sewer main has the required capacity to serve the new building. The Applicant shall clarify how sewer would serve the site should the utilities within Railroad Square Drive not be constructed or easement granted.
5. Utilities: The Applicant shall coordinate the building locations as they relate to Central Maine Power’s existing overhead electric lines.
6. Traffic: As part of the latest 298 Main Street submission, the Applicant submitted a Preliminary Traffic Analysis. As noted in the General Comments, this project may need to be considered in conjunction with the neighboring 298 Main Street project under “common scheme of development”. If the State finds that these projects meet the definition of “common scheme of development”, the traffic analysis should be revised to encompass both projects so the peak hourly rate can be analyzed comprehensively. If the peak hourly rate exceeds 100 trips, then a Traffic Movement Permit should be applied for with the Maine DOT.

The Applicant should also analyze the impacts of the newly generated trips to Main Street. Special attention should be paid to bicycle and pedestrian traffic and the impacts to those movements and users. The analysis should also address the additional Railroad Square Drive traffic demand and any safety or functionality concerns given its proximity to South



Street, Yarmouth Crossing Drive, and the neighboring curb cuts which essentially results in a 5 or 6-leg intersection with an undesirable layout.

7. Parking and Vehicle Circulation:

- a. The Applicant should consult with the Fire Department on their access needs, particularly with regards to Building #1 and the ability to turn around from within the site.
- b. ADA parking spaces shall be provided onsite and accounted for within the parking tabulation.
- c. The Applicant shall clarify how the shared parking will be managed between the various mixed uses.
- d. The Applicant shall provide a copy of the parking and access easement from Railroad Square Drive.

8. Storm Drain: Provide the locations of and calculations to demonstrate proposed storm drain sizes are adequate.

9. Stormwater Management: The Applicant shall complete a stormwater management plan, including drainage calculations for pre- and post-development for 2 yr. and 25 yr. storm events, a drainage plan, and an assessment of any pollutants in the stormwater runoff, that meets the requirements of Chapter 702. The Town strongly encourages the design team to consider the implementation of Low Impact Development (LID) in its design strategy.

Additionally, any stormwater BMP's and their maintenance shall remain the responsibility of the Applicant and thought should be given to future maintenance of the BMP's. Future submissions should also include post construction operation and maintenance plans for any proposed stormwater management BMP's. The Applicant's attention is called to Chapter 330 of Yarmouth's Code of Ordinances, *Post Construction Stormwater Management Ordinance*.

Lastly, the overall development should be assessed for the total impervious area that's being redeveloped. Depending on the final redeveloped impervious area, the project may necessitate a Stormwater Law Permit from the Maine Department of Environmental Protection, triggering the General Standards for water quality treatment. As noted in the General Comments, the project will likely need to be considered in conjunction with the neighboring 298 Main Street project under "common scheme of development".

10. Erosion and Sedimentation Control: The Applicant shall submit an Erosion and Sedimentation Control Plan. The plan shall meet all requirements of Chapter 500 Stormwater requirements and MDEP Erosion and Sedimentation Control (ESC) measures. During construction erosion and sedimentation control Best Management Practices (BMP's) shall be installed prior to construction activities and shall be maintained by the contractor until permanent stabilization.
11. Soils: The application states the site will be subject to a Voluntary Response Action Program (VRAP) through the MaineDEP, a tool that is used to encourage the cleanup and redevelopment of contaminated properties. The project is proposing basement level parking and the application should address how generated soils will be managed onsite.
12. Lighting: A lighting and photometric plan will be required as part of future submissions.



13. Waivers: The Applicant has not explicitly requested any waivers at this time.
14. Off-site Improvements: No offsite improvements are proposed by the Applicant at this time.

We look forward to discussing this project further and would be happy to clarify any of our comments within our review.



William H. Savage, P.E.
Principal - Project Manager
Acorn Engineering, Inc.





Town of Yarmouth,
Maine
Incorporated 1849
YARMOUTH FIRE RESCUE
178 NORTH ROAD (PO BOX 964)
YARMOUTH, MAINE 04096



MICHAEL ROBITAILLE, CHIEF OF DEPARTMENT

DAN MASSELLI, DEPUTY CHIEF
BILL GODDARD, DEPUTY CHIEF

December 21, 2021

I have reviewed the submitted Pre-Application Sketch Plan submitted by Light Environmental Design on behalf of Railroad Square Associates, Railroad Square, Yarmouth. The following recommendations are made based on NFPA 1 and NFPA 101, 2018 Edition.

1. All buildings are required to be completely sprinklered in accordance with the Town of Yarmouth Fire Sprinkler Ordinance and NFPA.
 2. All buildings are required to have an alarm system and KNOX box in accordance with the town of Yarmouth Alarm Systems Ordinance and NFPA.
 3. Underground Parking areas will need to comply with NFPA 1, NFPA 88A, and NFPA 101. The Town of Yarmouth will also require that standpipes be placed in the underground parking garages.
 4. Elevators shall be able to accommodate a Stryker Stretcher Power Pro XT which has an overall length of 81 inches.
 5. In accordance with E911 the building number and unit designations shall be determined by the Fire Chief and Town Engineer.
 6. Fire Department Sprinkler Connections shall be located on the building side facing the entranceway unless prior approval is received by the Fire Chief.
 7. A hydrant will need to be located on site and the location will be determined by the Fire Chief and Yarmouth Water District.
 8. Access roads will be a minimum of 20' in width.
 9. Gas detection shall be required in all spaces in which gas appliances are used.
- This is a new law in Maine effective January 1, 2022. LD346

Respectfully,

Michael S. Robitaille

Michael S. Robitaille, CFO III
Chief of Department

200 Main Street
Yarmouth, Maine 04096
Tel: 207-846-2401 Fax: 207-846-2438
E-Mail: estreet@yarmouth.me.us

Erik S. Street
Director of Public Works
Town of Yarmouth



MEMORANDUM

TO: Erin Zwirko, AICP, Director of Planning

FROM: Erik S. Street, Director of Public Works *ESS*

CC:

DATE: 12/30/27

RE: Conceptual Major Site Plan & Subdivision Application for Railroad Square

Erin,

There is not a lot for me to review at this stage of the project, but a few items come to mind that I believe the applicant should consider.

Trash & Recycling

The Town of Yarmouth promotes the Waste Hierarchy and believes strongly in recycling / composting. The residential units are proposed to be condominiums so owners will be able to utilize the Yarmouth Transfer Station / Recycling Center. However, if the complex is to provide trash / recycling / composting services through its association, it will be important to think through how this will be managed and used by the 55+ community members.

Snow Storage

The site has a lot going on and to maintain walkability, parking and traffic flow, snow management will be a priority. Every street and parking lot appears to be bordered by a sidewalk and trees. This is a large area to clear and careful thought should be given to snow storage areas and plow ability.

Emergency Vehicle Access

I am sure the Fire Chief will weigh in on this, but maneuverability of emergency vehicles will be a priority. Access to the structures on lot four may be challenging as there is not a lot of roadway frontage.

200 Main Street
Yarmouth, Maine 04096
Tel: 207-846-2401 Fax: 207-846-2438
E-Mail: estreet@yarmouth.me.us

Parking & Traffic Flow

Under unit parking is proposed for the structures on Lot 4 and Lot 5. B1 and B2 appear to be connected with one common entrance / exit. In the event of an emergency where vehicles need to get out, there is only one option. I think the traffic flow for these units needs to be reconsidered.

Overall, I like the concept and look forward to working through the development of the project. If you have any questions, please let me know.

Erin Zwirko

From: Eric Gagnon <egagnon@yarmouthwaterdistrict.org>
Sent: Friday, December 31, 2021 2:50 PM
To: Mike Robitaille
Cc: Wendy Simmons; Erin Zwirko; Steven Johnson
Subject: Re: Request for Comment - NYA & Railroad Square - DUE 1/3/22

YWD comments are very brief

- NYA - This project looks straightforward and after a pre-con meeting with the contractor, they will be rerouting the service line around the proposed addition. The contractor is aware that a pressure test and proper disinfection are mandatory.
- Railroad Square - I would love the opportunity to meet with the team to go over how this will be served but at this point plans are preliminary. The earlier utilities can be figured out the better to avoid conflicts.

Eric Gagnon
Superintendent
Yarmouth Water District
207.846.5821 phone
207.846.1240 fax
<http://YarmouthWaterDistrict.org/>

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On Tue, Dec 21, 2021 at 11:13 AM Mike Robitaille <MRobitaille@yarmouth.me.us> wrote:

My initial comments

Michael S. Robitaille

Chief of Department

Yarmouth Fire Rescue

From: Wendy Simmons <WSimmons@yarmouth.me.us>
Sent: Thursday, December 16, 2021 11:18 AM
To: Andrew Dolloff <andrew_dolloff@yarmouthschools.org>; Dan Gallant <DGallant@Yarmouth.me.us>; dostrye@gmail.com; Eric Gagnon <egagnon@yarmouthwaterdistrict.org>; Erik Donohoe <edonohoe@yarmouth.me.us>; Karyn MacNeill <kmacneill@yarmouth.me.us>; Mike Robitaille <MRobitaille@Yarmouth.me.us>; Nat Tupper <ntupper@Yarmouth.me.us>; Scott LaFlamme

<slaflamme@yarmouth.me.us>; Benjamin Thompson <bthompson@cumberlandcounty.org>

Subject: Request for Comment - NYA & Railroad Square - DUE 1/3/22

For your review:

Ben – Only Railroad Square requires your review.

https://yarmouth.me.us/index.asp?SEC=629E1BD4-C041-417B-BBBD-FE8E3715114C&DE=B728284F-D418-4EBB-B7C9-18ABEA6344CB&Type=B_BASIC

Wendy L. Simmons, SHRM-CP (she, her, hers)

Administrative Assistant

Planning, Code Enforcement and Economic Development

Town of Yarmouth

200 Main St.

Yarmouth, ME 04096

Phone: 207.846.2401

Fax: 207.846.2438

www.yarmouth.me.us

From: [Dan Ostrye](#)
To: [Erin Zwirko](#)
Cc: [Wendy Simmons](#)
Subject: Railroad Square - Preliminary Sketch Plan Review
Date: Tuesday, January 4, 2022 10:50:33 AM

Hi Erin,

The Bicycle and Pedestrian Committee has reviewed the Pre-Application Sketch Plan for the Railroad Square Development Project. In general we are in support of the conceptual plan for mixed use on the property and appreciate the applicant's intentions to make it a bicycle and pedestrian friendly design. Our specific comments follow:

1. The rail trail and paths are excellent and connecting to the Village Green is great. The alignment of the trail between the proposed rail crossing and Main Street is a concern. We were under the impression that the rail trail would cross at the designated location and continue on the other side of the tracks (i.e., parallel to the exit drive along Village Green). We are concerned with bringing rail trail traffic into the already congested RR Square entrance area).

2. We are concerned that the entrance at Main St is too wide. There is a tendency to create very wide curb cuts to facilitate vehicular movement, which in our view are not pedestrian friendly. We think the curb cuts at Maine Street need to be tightened especially given the high pedestrian traffic on the Main Street sidewalk. The curb cut radius adjacent to the rail should be much tighter. Same with the other side actually. The wider the radius the faster vehicles will go while making these turns. We are also concerned that the corner of 298 Main Street building reduces the sight lines looking west up Main Street. The sight line may meet road sight line standards when there are no vehicles in the parking spaces in front of 298 Main St but consideration should be given to sight lines with parked cars in those spaces.

Additionally, we are very concerned with sight lines related to the sidewalk traffic. It is an accepted fact that most of the bikes on Main Street travel on the sidewalks. They travel at much higher speeds than pedestrians and even with improvements associated with the Street Scape Plan, we will see continued bike traffic on the sidewalk. We urge the applicant to factor this reality into the entrance design and make sure that the design forces entering and exiting traffic is to go very slow. The painted striping they show is not sufficient (or perhaps the hatch marks represent some type of raised transitional curbing?). We also believe a raised crosswalk is essential across the entrance and would like to see that be required if possible.

3. We wonder why it is necessary to have two entrances to the parking lot between Lots 2 and 4? It is not clear why that parking lot needs two entrances/exits and eliminating one would reduce the number of crossings for pedestrians. Plus eliminating one of the entrances would create even more community/open space. A Win Win.

4. Only one bike parking spot adjacent to the rail trail is shown? Additional racks are needed closer to Main Street and associated with each of the commercial spaces.

5. The narrative states that the residential buildings will have underground parking with storage lockers but does not clearly state that covered bike parking will be incorporated into the plans. We recommend a minimum of two per unit.

6. This may be a comment for later in the review process, but we are also concerned about snow storage within the development. It seems that there is not a lot of space to accumulate snow given the compact nature of the layout and small amount of open space relative to the amount of pavement (roads, sidewalks and parking area). Is there a plan for how snow will be managed?

We are happy to answer any questions you may have or provide additional details regarding the above comments. We appreciate the opportunity to provide our input and perspective and look forward to working with you and the applicant throughout the development process.

Respectfully submitted on behalf of the Yarmouth Bicycle and Pedestrian Committee,
Dan Ostrye



engineers | planners | scientists

January 4, 2022

Steven Johnson, P.E.
Town Engineer
Town of Yarmouth
200 Main Street
Yarmouth, Maine 04096

Subject: Railroad Square Development Master Plan – Traffic Peer Review

Hi Steve:

In accord with your request, T.Y. Lin International (TYLI) is pleased to submit our initial traffic peer review comments with respect to the Railroad Square Development Master Plan project. My review is based on the Sketch Plan Submission dated December 15, 2021, prepared by Licht Environmental Design, LLC. Given that this is an initial sketch plan submission my comments are broad in nature.

1. The applicant notes that a traffic study will be prepared and submitted to the Town in the future. The study will determine if a MaineDOT Traffic Movement Permit is required. It will also be important that the study account for previously approved projects in the evaluation of impacts to Main Street.
2. The applicant notes use of a shared parking reduction factor to estimate parking demand and supply needs for the site. I support the use of shared parking adjustments for a mixed use site and look forward to reviewing the parking generation calculations. I would also note that a parking management plan will likely be required.
3. From a site circulation perspective, the design of the access road and how both Downeast Energy and 298 Main Street are integrated will be important. This includes both vehicle and non-motorized movements.
4. The access road intersection with Main Street will need to be designed with consideration of vehicle movements (passenger cars and trucks), pedestrian movements (crossing both Main Street and the driveway and ADA compliance), and bicyclists. It is a complicated location when considering multi-modal conditions, proximity of nearby driveways and traffic volumes both on Main Street on entering and exiting the site. A detailed review will be required as part of the Traffic Study.
5. The project proposes several different roadway types and I look forward to reviewing specific design details in the future.

Please contact me if you have any questions.

Best regards,

T.Y. LIN INTERNATIONAL

A handwritten signature in black ink that reads "Thomas A. Errico". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Thomas A. Errico, PE
Senior Associate / NE Traffic Engineering Director

From: [Mark Polishook](#)
To: [Wendy Simmons](#)
Cc: rrsqyarmouth@gmail.com
Subject: Come Learn About Railroad Square
Date: Saturday, December 25, 2021 3:50:52 PM

Wendy Simmons: Please distribute to Yarmouth Planning Board. Thank you.

To whom it may concern. I, with my wife Janet Marstine, live at 49 South St. in Yarmouth. I have concerns about the proposed Railroad Square Project.

1. The project is described as a new mixed-use neighborhood. Please note that "mixed-used" should have hyphen. It's grammatically incorrect without the hyphen. But THAT'S not the important point.
2. What steps will be taken to insure that Main St. in Yarmouth doesn't begin to and ultimately take on the character of Route 1, a much busier street to be sure. Route 1 has several condo developments that ultimately give it a certain kind of character. The question is, do we want Main St. in Yarmouth to end up with the a same sort of character as Route 1, which is a commercial and not a residential road.
3. Several years ago, the planning board was concerned with enacting regulations to save the historical character of Yarmouth Village. How does the proposed mixed-used facility square with those proposed regulations. Is the mixed-use facility not in fact at odds with hopes for Yarmouth Village?
4. What mechanisms or processes exist to keep South St. from becoming little more than an access street to Main Street and the proposed mixed-use facility? Is there discussion of this particular issue.

Discussion is needed because South St. is already in disrepair and in need of reconstruction. Further, if South St. traffic increases, then it's a street that will need sidewalks so that foot traffic can coexist with increased vehicle traffic. Has there been any discussion of this issue? While 55+ residents of the proposed facility may not, as planning documents say, increase vehicle traffic, what about the ancillary traffic that will come with the project? It seems wrong to say that proposed traffic increase is minimal.

5. The proposed mixed-use facility looks to be huge but not-to-scale in the "Come Learn About Railroad Square!" flyer I received in the mail.
6. I might well have missed it but have there been opportunities for property owners who live within 500 feet of the proposed development to comment? As far as I know, there hasn't been any kind of outreach, yet.

I'm concerned about the lack of communication because the for better or worse the pamphlet just distributed says "Come Learn About Railroad Square! A New Mixed Used [sic] Neighborhood In The Heart Of Yarmouth Village. That sort of phrasing makes the project sound like a done deal and not like something that's being proposed.

7. How will the architecture of the mixed-use facility complement the

historical character of Yarmouth Village? As shown in the not-to-scale drawing, it looks like a facility meant to be hidden by trees. I support excellent and new landscaping. I'm not a proponent of landscaping installed to hide rather than to enhance an area.

8. How many businesses will the new mixed-use facility contain?

9. Is it acceptable for condominium units to be purchased for use as AIR B&B rental apartments? If so, is that beneficial to Yarmouth? How?

10. I would like to participate in project planning and discussion but I'd also like to think that this is a project that's now being considered rather than a done deal.

11. Given the planning goals of Yarmouth as already set out in assorted documents, what other alternatives have been considered other than the project now under discussion? Are there alternatives?

I look forward to attending meetings in the future to learning more about project plans.

Thank you,

Mark Polishook

49 South St., Yarmouth, ME, 04096, 207-4--2010

Erin Zwirko

From: Edward Ashley <eashley@maine.rr.com>
Sent: Monday, January 3, 2022 7:16 PM
To: Erin Zwirko
Cc: Matt Teare; rlicht@securespeed.net
Subject: Railroad Square; 12-15-21 Development Plan filings

Hi Erin-

These are some initial comments, questions and observations on the Dec.15, 2021 plans and letter from Rick Licht.

BLOCKS: Ch. 703, Table 6.F dictates a Block Perimeter of 2,000 feet maximum in the CD4 District. A rough measurement from my 11x17 plan copy indicates an approximate perimeter of the Development parcel of around 2,900 feet. This suggests the need for two Blocks, and it seems a logical division would be to have the residential development and open space to the rear or southerly end of the parcel be one Block, and the mixed used development Block to the north of that. That would put Lots 4, 5, 6 and 7, with TF-3, TF-4 as well as Civic Square F and Open Spaces H and I (and perhaps Passage E) into one Block. Lots 1, 2 and 3, along with TF-1, TF-2, Civic spaces A and D, and Passages B and C (and maybe E) into the other Block.

THOROUGHFARES:

TF-1 has been designated as a Road. The Thoroughfare Standards call for a Sidewalk of 6' minimum width along a road, as well as an 8'-16' Planter swale between Road and Sidewalk. I cannot tell from my plan copy if a sidewalk enfronts Lot 1. I do not believe there is room for a Planter swale of 8' width in this area; perhaps a continuous Planter could be installed using whatever width is available, and be the subject of a metric waiver for the deficiency.

TF-2, designated as a Village Street, could use some trees on the easterly side; perhaps that is what the bump outs indicate? The standards call for a continuous planter with trees 30' o.c. average, flanking a Sidewalk of 6' minimum width. I recognize that trees, etc are not practicable on the westerly side of TF-1 and TF-2, but as much deciduous canopy as possible on the easterly side would greatly benefit the aesthetics, shade and cooling along this defining entryway, which Rick referred to as the "central spine of the project". Plantings should be of a species and of sufficient maturity to enable walking and seating beneath the canopy.

The U-shaped two-way traffic loop flanking the south and north ends and east side of Lot 3, with parking behind Lot 3, either lacks designation or is part of the designation of Passage C. Perhaps the "C" refers only to the leg on the north side; if so, there is no designation on the plan for what I am calling a Thoroughfare.

- "C" is obviously not merely a pedestrian passage, being shown on the Plan as part of a loop roadway with two way traffic serving the parking lot to the rear of Lot 3.
- The opposing banks of head-in parking, with backing and turning movements, coupled with two way traffic, plus foreseeable pedestrian traffic (in large part, cyclists who will have parked their bikes in Civic Space D, and are entering the mixed-use complex), just seems to over-burden the space available. Getting rid of two-way vehicle movement can only help.
- I suggest that the entire loop be designated a Thoroughfare (a shared-use "ALLEY"), and be made one-way as to motor vehicles. (It could be labeled TF-6, or TF-4 with renumbering thereafter).
- At some point I would like to see a detailed dimensional sketch of that area, for a judgement as to whether the parking as shown can safely be accommodated in the space available.
-
-

- **TF-3**, designated along with TF-2 as “Village Street” type of Thoroughfare, is serving the residential portion of the development, including the island of Civic Space which the residential buildings look out on. It should not be subjected to drive-through traffic by non-residents. Signage at the crossing just before Lot 6 and the Civic Square, saying “Private - Residents and Guests Only” would help, perhaps coupled with a speed bump.
- Beyond TF-3, the roadway or drive leading to the underground parking for lots 5 and 6, applicant states it is not a Thoroughfare, but a private driveway. I want to think about that some more.

TF-4, depicted as a Shared Space type of Thoroughfare, or Woonerf, and made one way in a counter- clockwise pattern, is a good choice of Thoroughfare type for this location, but can be improved, with a heavier emphasis on pedestrian use by the local residents.

- Movement should be on a yield basis,
- parking is to be indicated with paving treatment or bollards, with 8’ width,
- there should be no markings for bikeways since bikes have equal rights of passage and occupancy of space, as do pedestrians,
- there should be tree wells of at least 4-6 feet in width (which may impact on the number of parking spaces),
- trees should be planted at 30 foot intervals on average, and be of sufficient size as to permit passage beneath the canopy,
- there should be 12-20 feet of space between parked cars and building facades,
- the paving can be of different materials and differing colors to indicate differing uses and areas (e.g., crossings, parking spots),
- the entire paved area of the Woonerf will focus on, surround, complement and lead the eye to and through the Civic Square,
- the Civic Square should be well planted with mature trees, and provided with benches,
- the whole area should be a soothing and cooling canopy of green, a real community center for the residents, and a pleasant backdrop for the mixed use block..

Getting to the segment of TF-4 where it meets TF-2, and the traffic pattern changes to two way, and there is a junction with the loop Lane behind Lot 3, we encounter the choice of direction for traffic on that Lot 3 Lane. If it is counter-clockwise, then there would probably be a “Yield” sign for TF-4 traffic exiting onto Railroad Square Drive (TF-2), maybe even a speed bump/raised crossing, with a “One Way - Do Not Enter” sign facing the Lot 3 Lane traffic entering that loop. If the Lot 3 Lane movement is clockwise, perhaps that should still be the case, since TF-4 exiting traffic would be turning to the left, whereas the Lot 3 Lane exiting traffic would be proceeding straight ahead and then slightly to the right, to the right hand exit turn onto Railroad Square Drive. That would have the advantage of providing incoming mixed use patrons with an early entrance to the parking area behind Lot 3, and not confronting the residential area on their way in. I have no clear preference at present.

LOTS:

I was taken aback when I saw two principal buildings on Lot 4, said to be enfronting (via the end of one building) onto a Passage. However, although I find no examples or text within the Code addressing or demonstrating this, that also means I found no prohibition against it. Neither prescription nor proscription. So I will not go on about it further. HOWEVER, using the end of the building to satisfy enfrontment requirements (which I find troubling) is not necessary, the northern segment of the building can be seen to enfront on TF-4, and the southern segment on to Passage G.

Just as a matter of curiosity, I would ask why the six townhouses are split into two lots, rather than just one? I don’t think I care, just curious.

To the south of lot 7, I see what may be a hammerhead turnaround, perhaps to afford service vehicles or drivers who mistakenly drove into the residential area a chance to turn around....is that it?

Btw, where is trash pickup, will there be dumpsters, both as to mixed use block and residential block, and assuming so, where will they be?

CIVIC SPACE AND OPEN SPACE:

I question the label “**Pocket Park**” for area D. It doesn’t seem to meet the Pocket Park standards of Table 6G. It may be more of a “Green”, defined by its landscaping, rather than by Building Frontages or street patterns. I don’t feel strongly about. I see it as a major entry point to the mixed use area by people who have parked vehicles outside the project and down Main Street, by cyclists, both local and future touring cyclists using the anticipated rail/trail facility, and by local residents from the lower village and elsewhere, all within a foreseeable pedestrian shed. Which may not look like the quarter mile radius circle depicted in the Code, but will be real and ascertainable. I do suggest more bike racks in that area D, I think that will be the principal bike entry point. And more tree planting and some benches, I can see people resting in the shade and munching on purchases from the mixed use retail establishments.

Civic Square F coupled with the Woonerf of TF-4, and nested in the enfronting embrace of the Townhouses and and two major apartment buildings, is an exciting prospect. Adequate plantings will be key to its success.

On the **Open Space H and Wetlands Buffer I**, I would like to hear more about possible public access, trails, whether there will be dedicated preservation easements vested in some monitoring entity, just how that will be handled. Is there a reason for distinguishing between area H and area I? That leads to the question of governance and enforcement, the cost of routine maintenance and upkeep going forward, and who shares that burden, and possible future improvements. I understand there will be condos, will there be a separate association for each building or building group, will there be an over-arching governing body which can resolve issues as between residential and commercial interests, who will be in charge of scheduling events in public spaces, and so on. Early days I know, but sooner or later,...

That’s all for now,
Thanks for reading, Ed Ashley

From: [Dan Ostrye](#)
To: [Erin Zwirko](#)
Cc: [Wendy Simmons](#)
Subject: Railroad Square - Preliminary Sketch Plan
Date: Tuesday, January 4, 2022 2:40:57 PM

Hi Erin,

I did want to add one personal comment on the Railroad Square Project regarding illumination. This is a very dense development. The combination of many multistoried buildings, roads and sidewalks will require a lot of lighting and with the density and the amount of reflective glass on the property has the potential for a great deal of light pollution. I would urge you and the planning board to consider applying dark sky lighting standards to the site in order to minimize the amount of light pollution that could be created. This was a topic of discussion brought up by the neighbors during the Tyler Technologies expansion project several years ago and measures were taken to mitigate the potential impact. Being in the center of the village, I would hope that measures will be taken to minimize light pollution from this development so that we do not create another light beam like we see when the turf field lights are on or that we get from the Hannaford parking lot.

Thank you,
Dan

remain in place during this period and that major policy changes be undertaken as part of the transition. This may result in some inconsistencies between the Town's policies and land use regulations during that period. A fundamental strategy for implementing this Plan is to fund and undertake the background work needed to adopt Form-Based Codes.

C. THE VILLAGE

1. BACKGROUND

The "Village" – ask any two residents what Yarmouth Village is and you are likely to get two different responses. For some people, the Village is Main Street and the historic homes adjacent to it. For others, the Village is the older built-up area of the Town that includes Main Street and the residential



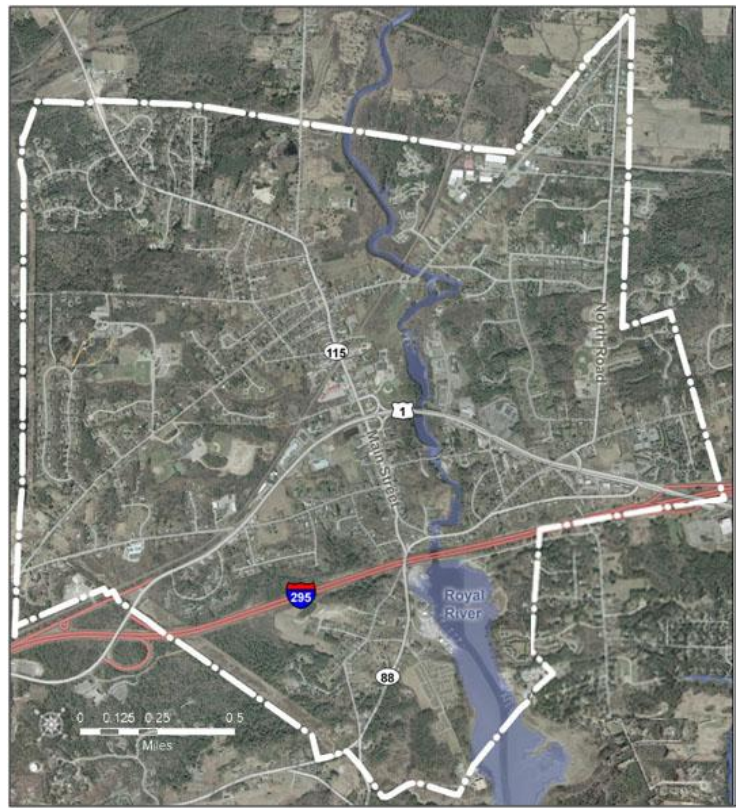
areas developed before 1970 where the lots are small and people can easily walk around. And for some people, the Village includes most of the town except for the coast and the islands.

For the purpose of this plan, the "Village," in conceptual terms, is considered to include the following:

- Main Street
- the historic residential neighborhoods adjacent to Main Street
- the older residential neighborhoods developed through the 1960s
- the newer, more suburban residential areas developed since the 1970s on the fringe of the older portion of the Village.

This “Village” area encompasses the area that potentially is an integrated walkable community. This concept of the “Village” is larger than what some people currently consider the village to be. It includes the area that is currently zoned Village I & II along Main Street, the entire Medium Density Residential Zone, and the commercial areas along Route One. This “Village” extends, generally, from the town line with Cumberland on the south to North Road/East Main Street on the north, and from the railroad line on the west to I-295 on the east including the Pleasant Street neighborhood east of I-295 (see Figure 1-3). When this plan talks about the “Village,” it refers to this area.

FIGURE 1-3: THE “VILLAGE”



Historically the Village offered residents a full lifestyle. You could live in the Village, send your children to school in the Village, do much of your shopping on Main Street, work in the Village or nearby coastal areas, go to church in the Village, and do most of what you needed to do in the Village. In the 1970s, Yarmouth began to change and the Village changed with it. That pattern of change continued and even accelerated in the 1980s. The construction of I-295 fueled the transformation of Yarmouth into a bedroom community. The grocery store on Main Street was replaced by a supermarket on Route One. Vacant land on the fringe of the older village was transformed into housing developments, single-family subdivisions and apartments at first, and later condominium developments. Yarmouth became an “upper class suburb.” Older homes along Main Street were converted into offices and other non-residential uses. Fewer people lived in the center of the Village.

The Town responded to these changes and tried to manage or limit the change. The required lot size for housing in the village area and fringes was gradually increased to the one acre per unit that is the current requirement to try to control new residential development. The zoning for Main Street, the Village-I Zone, limited the conversion of homes to non-residential uses and prohibited new infill commercial buildings as a way of “protecting” the older homes and trying to maintain a residential base in the center of the Village. In the process of trying to manage the change in the community, many older homes were made non-conforming and the ability of property owners to use their homes “creatively” was limited. Investment in non-residential property along Main Street was limited.

Recently, the Town has been working to address some of these concerns. Adjustments have been made in some of the zoning requirements to reduce the number of properties that are nonconforming. The provisions for home occupations and accessory dwelling units have been liberalized. The Town has used contract zoning to accommodate desirable development and expansion of nonresidential uses along Main Street.

During the preparation of this revision of the Town’s Comprehensive Plan, a number of key issues emerged with respect to the Village including:

- Maintaining Main Street as a truly mixed-use area with viable businesses and services, community and educational facilities, and people who live there.
- Ensuring that the historic homes along Main Street are not demolished or inappropriately modified to allow commercial development.
- Ensuring that new construction or the modification of buildings along Main Street is done in a way that is compatible with the visual character and development pattern of the Village.

Contract or Conditional Zoning

Contract or conditional zoning is an approach to zoning that allows the Town to create special zoning requirements that apply to a particular property. It is a technique to allow a use or development that might not otherwise be allowed by imposing additional requirements on it to make it acceptable. In many cases, the provisions of the contract or conditional zone establish additional requirements on the use and development of the property beyond what are typically addressed in traditional zoning standards such as design requirements or limits on the types of occupants of the building. A contract or conditional zone must be consistent with the Town’s adopted Comprehensive Plan. Once a contract or conditional zone is established, the development and future use of the property must follow the detailed requirements of the “contract” or “conditional” zone.

- Reducing the amount of non-conforming situations resulting from the Town's zoning provisions.
- Allowing the owners of older homes some flexibility in the use of their property to allow them to continue to maintain them.
- Accommodating additional residential uses within the Village in ways that reinforce the concept of a walkable village and expand the diversity of housing available.
- Increasing the diversity of the housing available in Yarmouth and, therefore, increasing the diversity of the Town's population.

2. *VISION*

Yarmouth Village will continue to be a highly desirable, walkable New England Village with a vibrant, mixed-use center along Main Street. The Village will continue to offer a wide variety of housing from large, historically significant single-family homes, to smaller, more modest homes for both older residents and young families, to apartments and condominiums, to small flats in mixed-use buildings or older homes.

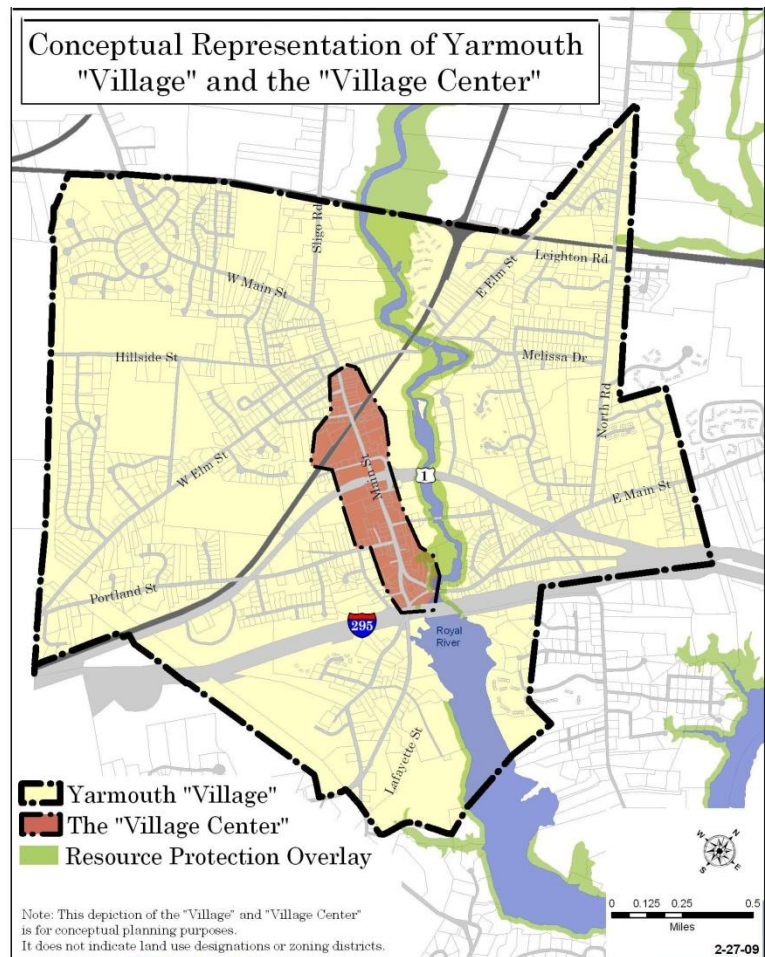
Main Street or the Village Center will be a vibrant, pedestrian friendly, mixed-use street where people can live, work, shop, and take care of their other daily needs. A balance between residential and nonresidential activities in the Village Center will be maintained. Historic properties will be well maintained and their historic character preserved while allowing for the creative use of these properties. New buildings or modifications of existing buildings shall be of similar scale, form, and disposition to the Village's historic buildings and development pattern, thereby maintaining the visual integrity, livability and walkability of Main Street. Parking will be improved to support a financially viable core of businesses and services but without detracting from the residential livability of the Village Center or adjacent residential neighborhoods and parks. Key municipal, community, and educational facilities will continue to be located in the Village Center. Pedestrians and bicyclists can move easily and safely throughout the Village Center and to and from the Village residential neighborhoods.

The older Village Residential neighborhoods will continue to be desirable, walkable areas. Historic residential properties will be well maintained and their



historic character preserved. Sidewalks, pedestrian paths, and bicycle facilities will be improved to provide universal accessibility and allow safe movement within the neighborhood as well as movement to and from the Village Center and community facilities such as the schools and recreation areas. Well-designed infill development will occur at density, scale, form and disposition that is compatible with the historic pattern of development. The types of housing and the availability of affordable housing may be expanded through creative use of existing buildings. Property owners in these neighborhoods will have flexibility to use their properties creatively as long as the use is compatible with the neighborhood and new development standards are satisfied.

FIGURE 1-4 CONCEPTUAL REPRESENTATION OF YARMOUTH "VILLAGE"



The Village Fringe areas that experienced lower-density suburban style development will become more integrated into the Village. Sidewalks, pedestrian paths, and bicycle facilities will be improved to allow universal accessibility and safe movement from these areas to the Village Center and community facilities such as the schools and recreation areas. Infill development will occur at higher densities than 1 unit per acre and property owners outside of the larger subdivisions will have flexibility to use their property creatively.

3. POLICIES AND STRATEGIES

For the Town to achieve this vision, we must establish clear policy directions that will guide both the Town's land use regulations and its day-to-day decisions about operations and expenditures and identify the actions that the Town will need to take to implement those policies.

Policy C.1. Ensure that the immediate Main Street area that is the Village Center continues to be a vibrant mixed-use area with residential uses, businesses, services, and municipal and community facilities.

Strategy C.1.1 – Adopt a formal policy that key municipal uses that are used by the public continue to be located in the Village unless no viable option exists.

Strategy C.1.2 – Revise the current zoning requirements for the Village I and II Districts (and consider renaming them Village Center I and II) to allow existing buildings to be converted to nonresidential use or modified or expanded to create additional nonresidential space, and new buildings to be constructed that include nonresidential space provided that there are provisions for residential occupancy within the building.

Strategy C.1.3 – Revise the current zoning requirements for the Village I District and the nonconforming use provisions to allow existing nonresidential uses that might not otherwise be allowed in the Village Center to modernize and expand as long as they become more conforming with the village character as defined by the study proposed in Strategy C.2.2.

Strategy C.1.4 – Develop a strategy for marketing and promoting the Village Center as a desirable business location for offices, service businesses, and small-scale, low-intensity retail uses.

Strategy C.1.5 – Adopt a “renovation code” for older properties to allow modifications that are consistent with the age of the property while ensuring basic standards of safety and accessibility.

Strategy C.1.6 – Consider revising current zoning requirements of Village I and II District to allow for construction of new infill commercial structures.

Form-Based Codes

Form-Based Codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. These codes are adopted into city or county law as regulations, not mere guidelines. Form-Based Codes are an alternative to conventional zoning. Form-Based Codes typically address both site design and building design considerations to establish a relatively consistent development pattern. Further explanation of Form Based Code can be found beginning on page 76.

Policy C.2. Maintain the architectural and visual character of the Village Center as a New England village and ensure that renovations/expansions of existing buildings as well as

new buildings reflect this character both in the design of the building as well as the location of the building, parking, and other improvements on the lot.

The goal of this policy is to ensure that the scale, massing, and treatment of the building and the location of the building with respect to the street are consistent with the village character as defined by the study proposed in Strategy C.2.2. It is not the goal to require that new buildings or changes to existing buildings that are not of historic significance be designed to look like “old New England buildings.”

Strategy C.2.1 – Establish “Form-Based” development standards for the Village I and II Districts that focus on the design and placement of the building on the site with less emphasis on the specific use of the property to ensure that the modification/expansion of existing buildings and the construction of new buildings including the replacement of existing buildings conform to the visual character and traditional development pattern of Main Street.

Strategy C.2.2 – Adopt design standards for the Village I and II Districts. These standards should address site design, building configuration and disposition, landscaping, pedestrian movement and bicycle facilities, signage, low-impact lighting and similar elements of the built-environment. The proposed standards should be based on a study/analysis of the visual characteristics of the Village center to identify the features and patterns that should be incorporated into the proposed standards. The proposed standards should be consistent with the proposed revisions to the zoning requirements (see Strategy C.2.1.).

Policy C.3. Work with property owners to maintain the exterior appearance of historically significant properties while allowing these owners the opportunity to improve and update the buildings in ways that respect their historical importance (see historic character section for additional details and strategies).

This character includes both the exterior of the building and the public frontage (portion of the lot between the building and public street(s)). The following strategy is also included in Section E that addresses historical character.

Strategy C.3.1 – See Strategy E.2.2.

Policy C.4. Allow residential use of property within the Village in ways that are more similar to the historic pattern of development and intensity of use than is allowed by the current zoning requirements.

This policy supports increasing the allowed density of residential use within the Village but with two important limitations:

- 1) New residential units within the Village (in either new buildings or modifications of existing buildings) be designed and built to be compatible with the character of the village (density, scale, form, and disposition) and minimize impacts on adjacent properties.
- 2) Property owners who take advantage of the opportunity for higher density pay an offset fee to be used by the Town to protect open space, make infrastructure improvements, enhance the village character such as with streetscape improvements, the upgrading of pedestrian and bicycle facilities, or adding pocket parks, or provide for affordable housing by either setting aside units as “affordable housing” or paying an affordable housing offset fee to the Town to be used for maintaining or creating affordable housing (see housing diversity section for additional details).

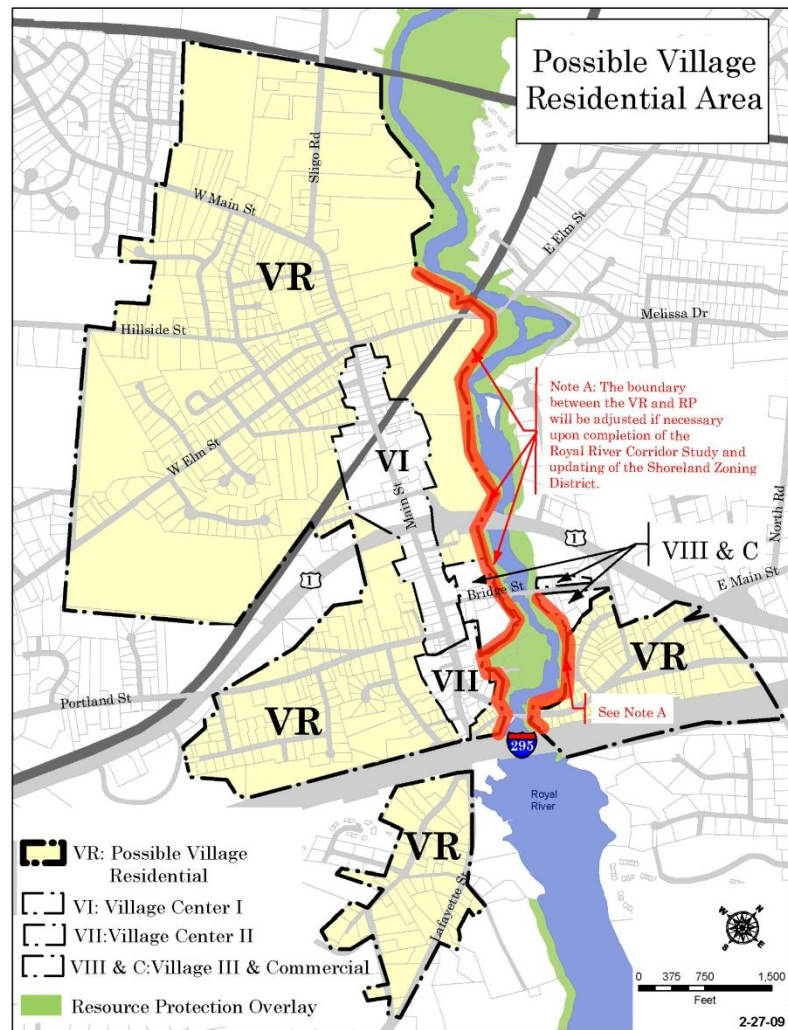
Strategy C.4.1– Create a new Village Residential (VR) zone out of part of the current Medium Density Residential District. The new VR District should include the older built-up areas of the Village. Figure 1-5 on the following page shows the possible boundaries of the proposed VR area. The final location of the boundaries will need to be determined when this proposal is implemented and will need to take into consideration the ongoing planning process of the Town including the Royal River Corridor Study and the updating of the Town’s Shoreland Zoning. The major objectives in creating this new zone are to reduce the number of existing lots/buildings that are nonconforming in terms of the Town’s zoning requirements and to allow residential uses (including infill development and more flexible use of existing properties) at higher densities than the current one acre per unit requirement of the MDR District. In return for allowing increased density in this area of the Village, the new VR District should include expanded development standards (excluding architectural design standards) to ensure that new buildings or modifications to existing buildings occur in a manner that is compatible with the village character and minimizes impacts on adjacent properties.

Strategy C.4.2 –Revise the development standards for the MDR District. Consider incorporating the MDR into the new “Village Residential” district. The major objectives in revising these requirements are to reduce the number of existing lots/buildings that are nonconforming in terms of the Town’s zoning requirements and to allow residential uses (including infill development and more flexible use of existing properties) at higher densities than the current 1 acre per unit requirement of the MDR District. The revised MDR District should include expanded development standards to ensure that new buildings or modifications to existing buildings occur in a manner that is compatible with the village character and minimizes impacts on adjacent properties. To accomplish this strategy, the Town shall:

- Analyze existing land use development patterns to determine appropriate adjustments in development standards, including but not limited to block size, street assemblies, density, building configuration and disposition, setbacks, lot occupation, and standards for conversion of single-family homes.

Policy C.5. Ensure that the Village is “walkable” and “ADA compliant” so that all people can easily and safely travel within their neighborhood as well as being able to walk or bike to the Village Center and other key centers of activity such as the schools and recreation areas.

FIGURE 1-5 POSSIBLE VILLAGE RESIDENTIAL AREA



Strategy C.5.1 – Develop and implement a plan to provide appropriate pedestrian and bicycle facilities and link the various parts of the Village including the established residential areas in the existing MDR zone.

Strategy C.5.2 – Revise the Town’s development standards to require that new development in the Village be “pedestrian and bicycle friendly” in terms of site layout, pedestrian and bicycle facilities and circulation to/from/within the site.

Policy C.6. Improve the availability and management of parking in the Village Center in a manner that does not detract from the essential character of the surroundings to maintain an attractive, diverse, and vibrant mixed-use area.

Strategy C.6.1 – Conduct a parking study in the Village Center to determine the actual use of existing public and customer parking, identify deficiencies in the supply or management of parking, identify opportunities to encourage alternative transportation and explore ways to improve parking in the Village Center in a way that is compatible with the character of the area.

Strategy C.6.2 – Explore possible approaches for funding parking improvements in the Village Center including the creation of a parking district, the use of impact fees, and similar techniques.

Strategy C.6.3 – Establish reduced parking standards for development or redevelopment in the Village Center if the parking study determines that the actual demand for parking is less than that required by the current parking standards.

D. DIVERSITY OF THE POPULATION

1. BACKGROUND

Historically, Yarmouth was “home” to a wide range of people – young families and elderly residents; people who worked in the community and people who commuted elsewhere; people of relatively modest means and those who were more affluent. The population of Yarmouth is getting older. The number of residents over 45 years of age is projected to increase significantly while those under 45 are projected to decrease. The number of younger households has been decreasing and is projected to continue to decrease. The number of Yarmouth residents between 30 and 44 years old dropped by almost 15% during the 1990s and is projected to drop another 20% by 2015. Similarly, the number of school aged children is projected to drop over 5% between 2000 and 2015.